IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO. 437 OF 2006

SHRI RODRIGUES ANTHONY SALVADOR, ST ESTEVAM, ILHAS GOA. ....Petitioner

Versus

STATE OF GOA THROUGH THE CHIEF SECRETARY AND 3 ORS., ...Respondents

Mr. Rohit Bras De Sa, Advocate for the Petitioner.

Coram:- J. N. PATEL &
N. A. BRITTO, JJ.

Date:- 6th November, 2006

P.C.

Heard.

2. The petitioner has approached this Court for seeking a writ in the nature of mandamus or for appropriate Order or direction so as to cause the respondent nos. 1 to 3 to immediately stop the illegal construction carried out in the property survey no. 138/4 and further to issue directions to respondent nos. 1, 2 and 3 to remove the illegal consructions from the said property, in terms of the demolition notice dated 06.03.2006. In the petition itself, the petitioner has pleaded that a Civil Suit has been filed relating to the same subject matter.

3. In view of the fact that the petitioner has already sought an alternate remedy, we are not inclined to entertain this petition. All these reliefs that the petitioner is trying to seek from this Court, can be granted in the Civil Suit filed by the petitioner i.e. Civil Suit No. 74/05. In view of this, the learned Counsel for the petitioner seeks to withdraw the petition with liberty to pursue the Civil Suit. Permitted to withdraw the petition with

liberty.

Petition dismissed as withdrawn.

J. N. PATEL, J.

N. A. BRITTO, J.

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